

**2003 DRAFTING REQUEST****Assembly Joint Resolution**Received: **01/21/2004**Received By: **pdykman**Wanted: **Soon**

Identical to LRB:

For: **Mark Gundrum (608) 267-5158**By/Representing: **Don Dyke**This file may be shown to any legislator: **NO**Drafter: **pdykman**

May Contact:

Addl. Drafters: **pkahler**Subject: **Constitutional Amendments  
Dom. Rel. - marriage**

Extra Copies:

Submit via email: **YES**Requester's email: **Rep.Gundrum@legis.state.wi.us**

Carbon copy (CC:) to:

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**Pre Topic:**

No specific pre topic given

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**Topic:**

Only marriage between one man and one woman recognized

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**Instructions:**

See Attached

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**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?							
/P1	pdykman 01/21/2004	kgilfoy 01/21/2004	rschluet 01/21/2004	_____	mbarman 01/21/2004		
/1	pdykman 01/22/2004	kgilfoy 01/22/2004	rschluet 01/22/2004	_____	sbasford 01/22/2004		

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/2	pdykman 01/28/2004	kgilfoy 01/28/2004	jfrantze 01/28/2004	_____	sbasford 01/28/2004	sbasford 01/28/2004	

FE Sent For:

&lt;END&gt;

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12-1/28  
Kmg1/28  
J/R  
1/28

01/22/2004 03:17:42 PM

Page 2

FE Sent For:

**<END>**

01/21/2004 11:59:05 AM

Page 1

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**Instructions:**

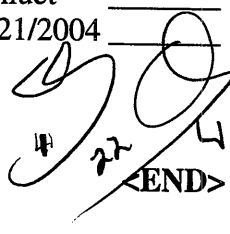
See Attached

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/P1	pdymkan 01/21/2004	kgilfoy 01/21/2004	rschluet 01/21/2004		mbarman 01/21/2004		

FE Sent For:

1-1/22  
Krug  
<END>

01/21/2004 09:12:56 AM

Page 1

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1?	pdymman	1/21-1/21 King	1/21	4			

FE Sent For:

&lt;END&gt;



State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-4072/P1

PJD&PJK

King

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION  
**2003 ASSEMBLY JOINT RESOLUTION**

to be possible

- 1 **To create** section 13 of article XIII of the constitution; **relating to:** providing that  
2 only a marriage between one man and one woman shall be recognized in this  
3 state (first consideration).

---

***Analysis by the Legislative Reference Bureau***

This is a preliminary draft. The language is identical to that called in by Don Dyke. Is it exactly what you want?

This proposed constitutional amendment, proposed to the 2003 legislature on first consideration, provides that only a marriage between one man and one woman shall be recognized as a marriage in this state and that this state may not recognize a legal status identical or substantially similar to that of marriage for ~~two~~ or more unmarried individuals.   
→ 2

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

- 
- 4 ***Resolved by the assembly, the senate concurring, That:***  
5 **SECTION 1.** Section 13 of article XIII of the constitution is created to read:  
6 [Article XIII] Section 13. Only a marriage between one man and one woman  
7 shall be recognized as a marriage in this state. This state may not recognize a legal

1 status identical or substantially similar to that of marriage for 2 or more unmarried  
2 individuals.

3       **SECTION 2. Numbering of new provision.** The new section 13 of article XIII  
4 of the constitution created in this joint resolution shall be designated by the next  
5 higher open whole section number in that article if, before the ratification by the  
6 people of the amendment proposed in this joint resolution, any other ratified  
7 amendment has created a section 13 of article XIII of the constitution of this state.  
8 If one or more joint resolutions create a section 13 of article XIII simultaneously with  
9 the ratification by the people of the amendment proposed in this joint resolution, the  
10 sections created shall be numbered and placed in a sequence so that the sections  
11 created by the joint resolution having the lowest enrolled joint resolution number  
12 have the numbers designated in that joint resolution and the sections created by the  
13 other joint resolutions have numbers that are in the same ascending order as are the  
14 numbers of the enrolled joint resolutions creating the sections.

15       *Be it further resolved, That* this proposed amendment be referred to the  
16 legislature to be chosen at the next general election and that it be published for 3  
17 months previous to the time of holding such election.

18                               (END)





State of Wisconsin  
2003 - 2004 LEGISLATURE

LRB-4072/1  
PJD&PJK:kmg:rs

*recess*  
*run*

## 2003 ASSEMBLY JOINT RESOLUTION

*D - NOTE*

*[Signature]*

*Sen. Col.*

- 1 **To create** section 13 of article XIII of the constitution; **relating to:** providing that  
2 only a marriage between one man and one woman shall be valid as a marriage  
3 in this state or recognized as a marriage by this state (first consideration).

---

***Analysis by the Legislative Reference Bureau***

This proposed constitutional amendment, proposed to the 2003 legislature on first consideration, provides that only a marriage between one man and one woman shall be valid as a marriage in this state or recognized as a marriage by this state and that a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid in or recognized by this state. ✓

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

---

- 4 ***Resolved by the assembly, the senate concurring, That:***  
5 **SECTION 1.** Section 13 of article XIII of the constitution is created to read:  
6 [Article XIII] Section 13. Only a marriage between one man and one woman  
7 shall be valid as a marriage in this state or recognized as a marriage by this state.  
8 A legal status identical or substantially similar to that of marriage for unmarried  
9 individuals shall not be valid in or recognized by this state.

**SECTION 2. Numbering of new provision.** The new section 13 of article XIII of the constitution created in this joint resolution shall be designated by the next higher open whole section number in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a section 13 of article XIII of the constitution of this state.

If one or more joint resolutions create a section<sup>13</sup> of article XIII simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the sections created shall be numbered and placed in a sequence so that the sections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the sections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the sections.

***Be it further resolved, That*** this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

**(END)**

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

January 22, 2004

LRB-4096/1dn

PJD&PJK:.....

*kmg*

*4072/1dn*

Representative Gundrum:

*the language*

This language is identical to that Don Dyke of the Legislative Council Staff gave to me. Please check to determine that it is as you wish.

Atty. Peter J. Dykman  
General Counsel

Phone: (608) 266-7098

E-mail: peter.dykman@legis.state.wi.us

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-4072/1dn  
PJD:kmg:rs

January 22, 2004

Representative Gundrum:

This language is identical to the language that Don Dyke of the Legislative Council Staff gave me. Please check to determine that it is as you wish.

Atty. Peter J. Dykman  
General Counsel  
Phone: (608) 266-7098  
E-mail: [peter.dykman@legis.state.wi.us](mailto:peter.dykman@legis.state.wi.us)

## 2003 ASSEMBLY JOINT RESOLUTION

*Handwritten:* Xolay, redraft, run

- 1 **To create** section 13 of article XIII of the constitution; **relating to:** providing that  
2 only a marriage between one man and one woman shall be valid as a marriage  
3 ~~in this state~~ or recognized as a marriage ~~by~~ this state (first consideration).

---

***Analysis by the Legislative Reference Bureau***

This proposed constitutional amendment, proposed to the 2003 legislature on first consideration, provides that only a marriage between one man and one woman shall be valid ~~as a marriage in this state~~ or recognized as a marriage ~~by~~ this state and that a legal status identical or substantially similar to that of marriage for unmarried individuals shall not be valid ~~in~~ or recognized ~~by~~ this state.

A proposed constitutional amendment requires adoption by 2 successive legislatures, and ratification by the people, before it can become effective.

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- 4 ***Resolved by the assembly, the senate concurring, That:***  
5 **SECTION 1.** Section 13 of article XIII of the constitution is created to read:  
6 [Article XIII] Section 13. Only a marriage between one man and one woman  
7 shall be valid ~~as a marriage in this state~~ or recognized as a marriage ~~by~~ this state.  
8 A legal status identical or substantially similar to that of marriage for unmarried  
9 individuals shall not be valid ~~in~~ or recognized ~~by~~ this state.

**SECTION 2. Numbering of new provision.** The new section 13 of article XIII of the constitution created in this joint resolution shall be designated by the next higher open whole section number in that article if, before the ratification by the people of the amendment proposed in this joint resolution, any other ratified amendment has created a section 13 of article XIII of the constitution of this state. If one or more joint resolutions create a section 13 of article XIII simultaneously with the ratification by the people of the amendment proposed in this joint resolution, the sections created shall be numbered and placed in a sequence so that the sections created by the joint resolution having the lowest enrolled joint resolution number have the numbers designated in that joint resolution and the sections created by the other joint resolutions have numbers that are in the same ascending order as are the numbers of the enrolled joint resolutions creating the sections.

***Be it further resolved, That*** this proposed amendment be referred to the legislature to be chosen at the next general election and that it be published for 3 months previous to the time of holding such election.

**(END)**

**Gilfoy, Karen**

---

**From:** Dykman, Peter  
**Sent:** Wednesday, January 28, 2004 2:07 PM  
**To:** Gilfoy, Karen; Barman, Mike  
**Subject:** rep gundrum want 4072/2 jacketed and in 30 minutes

Gay marriage joint resolution that I redrafted and put into editing about 45 minutes ago

*Push*